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SUBJECT: MPS DISCUSSES CHINA'S ANTI-TRAFFICKING STRATEGY

11. (SBU) Summary: China continues to develop its prosecutorial and administrative abilities to counter trafficking in persons (TIP) and recognizes the importance of properly taking care of trafficking victims, the Ministry of Public Security (MPS) Official responsible for TIP issues emphasized in an August 28 meeting with PolOff. Acknowledging the Chinese government has yet to fully implement its National Plan of Action law to combat human trafficking, the official stressed that standardizing China's anti-trafficking policies and ensuring local officials' actual practices are in line with those policies takes time. Our source maintained that China is cooperating closely with international organizations to strengthen its ability to protect, and provide services to, rescued trafficking victims and would welcome increased cooperation with U.S. law enforcement agencies to investigate and solve human trafficking cases. End Summary.

China Takes Human Trafficking Seriously

12. (SBU) In an August 28 meeting with PolOff, Ministry of Public Security (MPS) Director of the Office to Combat Human Trafficking Chen Shiqu emphasized the high level of attention the Chinese government placed on fighting the transnational crime of trafficking in persons (TIP). Chen assured PolOff that China over the past few years had stepped up cooperation with Mekong region countries and international organizations to strengthen China's anti-trafficking strategy, leading to passage of the 2008 National Plan of Action (NPA) law to combat TIP. China continued to develop its prosecutorial and administrative abilities to counter TIP and recognized the importance of properly taking care of trafficking victims, he added.

Bureaucracy Hindering Rapid NPA Implementation

13. (SBU) Acknowledging the Chinese government had yet to fully implement the NPA, Director Chen stressed that China's size, the scope of its trafficking problem, and the complexity of Chinese bureaucracy necessitated the PRC take an "appropriate" period of time to clearly delineate NPA responsibilities throughout the government system and ensure correct implementation procedures were in place. MPS earlier this year issued NPA implementation guidelines that clarified roles and responsibilities for relevant government agencies and "instructed them to do their part." In March, China's Supreme Court issued NPA implementation instructions to prosecutors. Director Chen's four-person office was responsible for coordinating the anti-trafficking activities of 29 government ministries, bureaus and departments, the majority of which have little-to-no prior experience in

anti-trafficking work, he lamented. "Harmonizing" China's bureaucratic response to trafficking and making sure officials took the correct action took time, Chen argued, pointing to a myriad of ministerial- and department-level "coordination meetings" held in the last year on China's anti-trafficking laws and procedures.

¶4. (SBU) Director Chen told PolOff of several instances in 2008 and 2009 involving high-level government officials or offices issuing orders for all ministries to "seriously implement" the NPA, as well as the publication of new standards issued to local governments to help guide them in implementing and assessing the performance of provincial action plans to combat human trafficking. While Chen's office oversaw the overall policy direction of China's anti-trafficking work, he repeatedly stressed its primary focus was to ensure that local governments and local public security bureaus "sincerely and effectively" carried out anti-trafficking work as outlined in the NPA. In particular, this meant strengthening local governments' anti-trafficking work and instructing local police to change the way they address trafficking cases.

¶5. (SBU) Chen would not directly speak to media and non-governmental organization reports of the central government's difficulty in ensuring provincial governments and local security bureaus carried out central government anti-trafficking directives. He asserted, however, that funding for most anti-trafficking work should come from the local governments, rather than the central government. (Note: Embassy contacts indicate that provinces with high

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instances of human trafficking are usually more advanced in developing and implementing provincial action plans, while other provinces are more likely to merely copy the central government's plan without considering provincial-specific anti-trafficking needs or proactively implementing anti-trafficking measures.)

Institutionalizing Anti-Trafficking Special Campaigns

¶6. (SBU) Institutionalizing the anti-trafficking mechanisms employed during the "Sixth Special Campaign to Combat Trafficking of Women and Children" would be Director Chen's focus once the campaign ended in December, he said. The sixth campaign's primary objective was to ensure that local public security bureaus knew how to handle TIP cases. While the special campaigns were effective in commanding central government attention and resources, substantially fighting China's trafficking problem required a long-term, institutionalized approach, Chen acknowledged. "In order to prolong the effects of the special campaign," Chen noted, "we have to take what we have learned and the procedures we have developed to combat trafficking and make it a part of routine policy work." This meant changing China's local security bureaus' fundamental approach to anti-trafficking work, he added.

¶7. (SBU) The anti-trafficking campaign had introduced three procedures to improve police work. First, the campaign had changed prior practice under which police did not classify a missing person case as a crime and typically would wait 24 hours after a person was reported missing before conducting an investigation. Now, local and central government security organs had to treat missing persons as a criminal investigation, and the local security bureaus were required to immediately start investigation procedures. Second, MPS had established China's first DNA bank and database to genetically link trafficked or abducted persons -- typically children -- with family members. DNA of rescued children or children suspected of being trafficked could now be matched with samples collected from family members of abducted children free of charge. In early August, the first child to be reunited with family through the DNA bank had returned

home to Yunnan Province after 10 years' absence. Lastly, MPS had established a "Most Wanted" list for traffickers, issuing Class A warrants for their arrest, which effectively boosted prosecution efforts. By August, according to MPS data, security forces had nabbed 15 of 20 of China's most heinous traffickers. Chen explained that once one trafficker was caught, another trafficker was added to the Most Wanted list.

18. (SBU) According to Chen, from April to mid-August, MPS through its special campaign had solved 1,214 female trafficking and 1,174 abducted children cases, resulting in the rescue of 2,291 women and 1,460 children. During that same time period, MPS had cracked down on 574 criminal organizations or rings involved in TIP and had effectively used the DNA data bank in 64 investigative cases. In August, a month-long anti-trafficking campaign in train stations in the south of China led to the rescue of more than 800 trafficking victims. Since trains and buses were the cheapest modes of transport in China, they were heavily used by traffickers to transport their victims, Chen remarked.

Problems Persist

19. (SBU) Embassy contacts referencing media reports of local security officials ignoring requests to investigate trafficking or missing person cases point out that a change in security officials' attitude is unlikely absent significant reform of cadre promotion criteria. Partially in response to this criticism, the Central Administration Committee on Comprehensive Public Security in 2008 set "anti-trafficking" as one of the indicators to evaluate cadres' performance. Security officials unable to make efforts on anti-trafficking were disciplined or demoted, "according to committee rules," Director Chen said. Despite this change, and perhaps because local security officials' performance are primarily rated by the number of cases solved and not the number of cases opened, the difficulty in solving trafficking or missing person cases almost certainly influences security officials' decision whether to take on a case, Embassy NGO contacts have argued.

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10. (SBU) Director Chen refused to comment on media reports of corrupt local officials' or security bureaus' possible complicity in the lucrative trafficking trade, asserting that Chinese criminal law stipulated that whoever impeded law enforcement efforts to rescue trafficked victims would be punished with sentences ranging from 5 years' imprisonment to the death penalty.

Protecting Trafficking Victims

11. (SBU) Turning to the protection of TIP victims, Director Chen explained that China was cooperating closely with international organizations, such as the United Nations Inter-Agency Project on Human Trafficking, the International Organization for Migration (IOM), and the International Labor Organization, to strengthen its ability to provide services to rescued victims of trafficking. Stressing the need for various Chinese ministries, such as the Ministry of Civil Affairs, to better understand how to effectively organize to assist trafficking victims, Chen expressed appreciation for USG funding of IOM's project to train Chinese government and non-government entities on best practices in providing services to trafficking victims.

China Asks for Help

12. (SBU) Turning to China's partnering with other countries to combat human trafficking, Director Chen asked whether the United States would be willing to work more closely with China. Chen raised China's collaboration with the Australian

government to shutter illicit Chinese labor recruitment agencies known for trafficking Chinese persons to Australia as an example of China's willingness to work with other countries to combat trafficking. Director Chen stressed the Chinese government also wanted to cooperate with U.S. law enforcement agencies to investigate and solve TIP cases. In particular, China would welcome any information the U.S. law enforcement community could provide on Chinese nationals trafficked abroad or on pedophiles seeking entrance to China.

Chen stated that MPS had noted the Secretary's call for a partnership to combat trafficking and welcomed the inclusion of a report on the United States in the next USG TIP report.

¶13. (SBU) Noting that the USG funded training opportunities for MPS officials attending International Law Enforcement Academy courses in Bangkok, Thailand, as well as the State Department's acceptance of his subordinate, Yin Jianzhong, to attend the October 2009 MRP Trafficking in Persons course, Director Chen underscored China's appreciation for these training opportunities. Stressing the importance of these training opportunities to increasing the capability of MPS officers in handling domestic as well as transnational TIP cases, Chen made clear China would welcome any increase in training to combat human trafficking. Such training was essential to boosting the local security bureaus' ability to carry out NPA responsibilities, Chen added.

¶14. (SBU) China continued to have a particular problem with the abduction of children, most for illegal, in-country adoption, but some into exploitative labor or sex industry situations, Director Chen observed. He affirmed China's position that abducted children for these purposes were considered trafficking victims. Development of China's strategy to prevent and combat child abduction, recover abducted children, and return them to their families was still in its early stages, he added. Director Chen asked for information on how the U.S. law enforcement community was organized to respond to child abduction cases, and what particular procedures or best practices were used by U.S. law enforcement personnel.

HUNTSMAN